

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Case No. 04-CR-10065-MLW
)	
CLARENCE EARLE)	

JOINT STATUS REPORT
CONCERNING LOCAL RULE 116.5(C)

The parties respectfully submit this joint status report concerning the issues raised by Local Rule 116.5(C) in anticipation of the December 23, 2004 final status conference in this case:

1. There are no outstanding discovery issues other than those that need to be provided by the government 21 days or fewer before trial.
2. The parties do not anticipate providing additional discovery as a result of the future receipt of information, documents or reports of examinations.
3. The defendant does not intend to raise a defense of insanity or public authority.
4. The government has not requested notice of alibi from the defendant.
5. The defendant intends to file a Motion to Suppress the Defendant's Statements.
6. The parties have not yet determined whether this case will be resolved through a change of plea.
7. The parties request that the Court exclude the period from today's status conference through the District Court's ruling on defendant's Motion to Suppress the Defendant's Statements under 18 U.S.C. § 3161(h)(1)(F).

8. The government will need three trial days to present its case in chief should this matter proceed to trial.

Respectfully Submitted,
CLARENCE EARLE
By His Attorney

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December 20, 2004